

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Linda Wilhelm	Debtor(s)	CHAPTER 13
Mortgage Assets Management, LLC	Movant	
vs.		
Linda Wilhelm	Debtor(s)	NO. 21-12025 ELF
Elizabeth M. Franz		
Harvey C. Franz	Co-Debtor	
Kenneth E. West		11 U.S.C. Section 362
	Trustee	

**MOTION OF Mortgage Assets Management, LLC
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362 and 1301**

1. Movant is Mortgage Assets Management, LLC.
2. Debtor(s) is/are the owner(s) of the premises 3868 Alberta Place, Philadelphia, PA 19154, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$343,500.00 on the mortgaged premises that was executed on February 09, 2007. The mortgage has been assigned as follows: Nationstar Mortgage LLC D/B/A Champion Mortgage Company to Mortgage Assets Management LLC recorded on April 13, 2022 in Philadelphia at Document ID Number 54023413.
4. Kenneth E. West, is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of taxes and insurance were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).
6. Debtor, Elizabeth Franz and Harvey Franz, co-debtors have failed to remit payment for Taxes. In an effort to protect its security interest. Movant has disbursed payments for Taxes on March 25, 2022 in the amount of \$1,889.00.

7. Debtor, Elizabeth Franz and Harvey Franz, co-debtors have also failed to remit payment for the Insurance on the property. Movant has disbursed payment for the Insurance on April 13, 2022 in the amount of \$3,027.00.

8. The total escrow advances that the Movant has disbursed is \$4,916.00.

9. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant has also incurred legal fees and legal costs. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

10. Movant is entitled to relief from stay for cause.

11. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Denise Carlon, Esq.

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